

**COMMITTEE ON COUNCIL
AGENDA
AUGUST 21, 2006**

A. ADOPTION OF AGENDA

B. MINUTES

Note: Due to the lack of a quorum, the Committee on Council did not meet at its regularly scheduled time on July 17, 2006, but rather, the Full Council entered into the Committee of the Whole at the Full Council Meeting held on that date. Accordingly, the Minutes of the Committee of the Whole are incorporated into the Atlanta City Council Action/Minutes for July 17, 2006.

C. ADOPTION OF FULL COUNCIL AGENDA

D. CHARTER AMENDMENT(S)/THIRD READING/FINAL ADOPTION

06-O-1371 (1) An Ordinance by Committee on Council to amend the Charter of the City of Atlanta, Georgia, adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1, et seq., as amended, so as to amend the Charter of the City of Atlanta, Georgia, 1996 Ga. Laws P. 4469, et seq., by amending Article 2, Chapter 3, Section 2-308 (Entitled, "Staff of Council and President of the Council") so as to revise the scope of the term "Immediate Family"; to repeal conflicting ordinances; and for other purposes. **(First Reading 7/5/06; Second Reading, First Adoption 7/17/06).**

06-O-1373 (2) An Ordinance by Committee on Council to amend the Charter of the City of Atlanta, Georgia, adopted under and by virtue of the Authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1, et seq., as amended, so as to amend the Charter of the City of Atlanta, Georgia, 1996 Ga. Laws P. 4469, et seq., by amending Article 5, Chapter 4, Section 5-401 (Entitled, "Conflicts of Interest Provisions Applicable to City Officials and Employees") so as to revise the scope of the term "Relative"; to repeal conflicting ordinances; and for other purposes. **(First Reading 7/5/06; Second Reading, First Adoption 7/17/06).**

COMMITTEE ON COUNCIL

AGENDA

Page Two

August 21, 2006

E. CHARTER AMENDMENT(S)/SECOND READING/FIRST ADOPTION

06-O-1595 (1) An Ordinance by Committee on Council to amend the Charter of the City of Atlanta, Georgia, adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1 et seq., as amended, so as to amend the Charter of the City of Atlanta, Georgia, 1996 GA Laws p. 4469, et seq., by amending Article 5, Chapter 4, Section 5-402 (b) so as to require that the mandatory public disclosure of the identities of the relatives of Elected Officials be fulfilled via the filing of an electronic disclosure of Conflicts of Interest Form; to repeal conflicting ordinances; and for other purposes. **(First Reading 7/17/06).**

06-O-1596 (2) An Ordinance by Committee on Council to amend the Charter of the City of Atlanta, Georgia, adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965, O.C.G.A. Section 36-35-1 et seq., as amended, so as to amend the Charter of the City of Atlanta, Georgia, 1996 GA Laws p. 4469, et seq., by amending Article 2, Chapter 3, Section 2-302 (d) so as to create the additional requirement that conflicts of interest, which require verbal disclosure, as well as, abstention from voting, be reported via submission of an electronic disclosure of Interest Form; to repeal conflicting ordinances; and for other purposes. **(First Reading 7/17/06).**

F. ORDINANCE(S) FOR SECOND READING

06-O-1597 (1) An Ordinance by Committee on Council to amend Chapter 2, Article XVI, Division 1, Section 2-1852 (entitled, "Procedures for appointments of Councilmember to a Board, Commission or Authority.") of the Code of Ordinances of the City of Atlanta, so as to establish a procedure for appointments of persons, by individual members of Council, to Boards, Commissions or Authorities; to waive conflicting ordinances; and for other purposes.

COMMITTEE ON COUNCIL

AGENDA

Page Three

August 21, 2006

F. ORDINANCE(S) FOR SECOND READING (CONT'D)

06-O-1598 (2) An Ordinance by Committee on Council to amend Chapter 2, Article II, Division 2, Subdivision II, Section 2-104(a) (entitled, "Remarks From Public.") of the Code of Ordinances of the City of Atlanta, so as to increase the period during which the City Council may hear Remarks from the Public during regularly scheduled City Council Meetings from thirty minutes to sixty minutes; to waive conflicting ordinances; and for other purposes.

G. RESOLUTION(S)

06-R-1606 (1) A Resolution by Councilmembers Anne Fauve,r H. Lamar Willis, Howard Shook, Carla Smith, Ivory Young, Jr., Ceasar Mitchell, Clair Muller, Jim Maddox, Kwanza Hall and Mary Norwood to appoint **Ms. Liz Coyle** as the Community Representative on the Board of Directors of Atlanta Beltline, Inc.; and for other purposes. **(Favorable by Community Development/Human Resources Committee 8/15/06).**

H. ORDINANCE(S) FOR FIRST READING

06-O-1677 (1) An Ordinance by Committee on Council to amend the 2001 City of Atlanta Precincts and Polling Places in Precincts 08C and 07L as a result of permanent precinct relocation and combined precincts; and for other purposes.

I. PAPER(S) HELD IN COMMITTEE

06-O-1333 (1) An Ordinance by Councilmembers Anne Fauver and Cleta Winslow to amend the Charter of the City of Atlanta adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965 (Ga. Laws 1965, P.298, et seq.) as amended, to amend Part I, Subpart A, Article VII, Chapter 3, Section 2-301(c) of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, p. 4469, et seq.), approved April 15, 1996 as amended, so as to allow elected officials to view a video taped copy of the Elected Officials Mandatory Training Modules; to make the mandatory training apply to newly elected officials only; and for other purposes. **(Held 6/19/06).**

COMMITTEE ON COUNCIL

AGENDA

Page Four

August 21, 2006

J. ITEM(S) NOT ON AGENDA

K. ADJOURNMENT



**CITY COUNCIL
ATLANTA, GEORGIA**

06-○-1371

**AN ORDINANCE BY
COMMITTEE ON COUNCIL**

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1. ET SEQ., AS AMENDED, SO AS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., BY AMENDING ARTICLE 2, CHAPTER 3, SECTION 2-308 (ENTITLED, "STAFF OF COUNCIL AND PRESIDENT OF THE COUNCIL") SO AS TO REVISE THE SCOPE OF THE TERM "IMMEDIATE FAMILY"; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the Charter of The City of Atlanta, Georgia, 1996 Ga Laws P.4469, et seq. (hereinafter "the Charter") establishes the legislative power of the governing authority (hereinafter "the Council" or "Council") to amend the Charter of the City of Atlanta (hereinafter "City") by ordinance; and

WHEREAS, the Committee on Council held work sessions and meetings to review the Charter to suggest and effectuate amendments thereto; and

WHEREAS, Section 2-308 of the Charter outlines employment policies and practices regarding staff of council and the staff of the president of council; and

WHEREAS, the city council has a policy against nepotism, thereby restricting the employment or direct supervision of council staff and president of council's staff by one's immediate family member; and

WHEREAS, the definition of "immediate family" neglects to include a person's registered domestic partner as an immediate family member; and

WHEREAS, it is the intent of city council that one's registered domestic partner be included in the scope and definition of "immediate family"; and

WHEREAS, the inclusion of one's registered domestic partner creates uniformity in the scope of the term "immediate family" throughout the Charter; and

WHEREAS, it is the intent of city council that the scope and definition of "immediate family" be consistent throughout the Charter.



**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS
AS FOLLOWS:**

Section 1: Article 2, Chapter 3, Section 2-308 (b)(iv), which reads:

Nepotism. No person shall be employed in such position where such person directly supervises or is directly supervised by a member of such person's immediate family. The term "immediate family" includes father, mother, son, daughter, brother, sister or spouse.

be hereby amended to read as follows:

Nepotism. No person shall be employed in such position where such person directly supervises or is directly supervised by a member of such person's immediate family. The term "immediate family" includes **the spouse, domestic partner registered under section 94-133, mother, father, sister, brother, and natural or adopted children of an official or employee.**

Section 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.



Exhibit "A"

"Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia"

Notice is hereby given that an ordinance has been introduced to amend Section 2-308 (Entitled "Staff of council and president of the council") of the Charter of the City of Atlanta, Georgia (1996 Ga. L. (Act No. 1019), p. 4469, et. seq.) as amended, so as to revise the scope of the term "immediate family"; and for other purposes.

A copy of the proposed amendment is on file in the office of the Municipal Clerk of the City of Atlanta and in the offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties, Georgia, for purposes of examination and inspection by the public.

This ____ day of _____, 2006.

Rhonda Dauphin Johnson
Municipal Clerk
City of Atlanta

RCS# 363
7/05/06
4:12 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 06-O-1368 06-O-1369 06-O-1370 06-O-1371
 06-O-1372 06-O-1373
 REFER

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

RCS# 425
7/17/06
3:22 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-0-1368 06-0-1369 06-0-1370 06-0-1371
06-0-1372 06-0-1373

06-0-1371 *1st* ADOPT + Refer Back to Committee on Council

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	NV Maddox	Y Willis
B Winslow	Y Muller	NV Sheperd	NV Borders

MULTIPLE

RCS# 423
7/17/06
3:20 PM

Atlanta City Council

COMMITTEE OF THE WHOLE

PROCEDURAL

RETURN TO REGULAR SESSION

APPROVE

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	NV Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

PROCEDURAL

RCS# 420
7/17/06
3:14 PM

Atlanta City Council

COMMITTEE OF THE WHOLE

MULTIPLE 06-O-1368 06-O-1369 06-O-1370 06-O-1371
 06-O-1372 06-O-1373
 APPROVE

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	NV Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

RCS# 418
7/17/06
3:07 PM

Atlanta City Council

COMMITTEE OF THE WHOLE

PROCEDURAL COMMITTEE ON COUNCIL AGENDA AND ADDENDUM

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	NV Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

PROCEDURAL

RCS# 416
7/17/06
3:04 PM

Atlanta City Council

REGULAR SESSION

PROCEDURAL

ENTER COMMITTEE OF THE WHOLE

APPROVE

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Mitchell
B Hall	Y Fauver	NV Martin	NV Norwood
Y Young	NV Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

PROCEDURAL



**AN ORDINANCE BY
COMMITTEE ON COUNCIL**

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1. ET SEQ., AS AMENDED, SO AS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., BY AMENDING ARTICLE 5, CHAPTER 4, SECTION 5-401 ("ENTITLED, CONFLICTS OF INTEREST PROVISIONS APPLICABLE TO CITY OFFICIALS AND EMPLOYEES") SO AS TO REVISE THE SCOPE OF THE TERM "RELATIVE"; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the Charter of The City of Atlanta, Georgia, 1996 Ga Laws P.4469, et seq. (hereinafter "the Charter") establishes the legislative power of the governing authority (hereinafter "the Council" or "Council") to amend the Charter of the City of Atlanta (hereinafter "City") by ordinance; and

WHEREAS, the Committee on Council held work sessions and meetings to review the Charter to suggest and effectuate amendments thereto; and

WHEREAS, Section 5-401 (d) of the Charter sets forth the definition of the term "relative" as it is used in relation to the conflicts of interest provisions applicable to city officials and employees; and

WHEREAS, the definition of "relative" neglects to include a person's registered domestic partner as a relative; and

WHEREAS, it is the intent of city council that one's registered domestic partner be included in the scope and definition of "relative."

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS
AS FOLLOWS:**

Section 1: Article 5, Chapter 4, Section 5-401 (d), which reads:

(d) As used in this chapter, the word "relative" shall mean an individual who is related to the elected official, appointed officer, or employee as father, mother, son, daughter, brother, sister, husband, wife, grandfather, grandmother, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, any other relative living in the household of the elected official, appointed officer, or employee or who otherwise holds himself or herself out as or is generally known as the person whom the elected official, appointed officer, or employee intends to marry or with whom the elected official, appointed officer, or employee intends to form a household, or any other natural person having the same legal residence as the elected official, appointed officer, or employee.



be hereby amended to read as follows:

(d) As used in this chapter, the word "relative" shall mean an individual who is related to the elected official, appointed officer, or employee as father, mother, son, daughter, brother, sister, husband, wife, **domestic partner registered under section 94-133**, grandfather, grandmother, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, daughter-in-law, son-in-law, any other relative living in the household of the elected official, appointed officer, or employee or who otherwise holds himself or herself out as or is generally known as the person whom the elected official, appointed officer, or employee intends to marry or with whom the elected official, appointed officer, or employee intends to form a household, or any other natural person having the same legal residence as the elected official, appointed officer, or employee.

Section 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.



Exhibit "A"

"Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia"

Notice is hereby given that an ordinance has been introduced to amend Section 5-401 (d) (Entitled "Conflicts of interest provisions applicable to city officials and employees.") of the Charter of the City of Atlanta, Georgia (1996 Ga. L. (Act No. 1019), p. 4469, et. seq.) as amended, so as to revise the scope of the term "relative"; and for other purposes.

A copy of the proposed amendment is on file in the office of the Municipal Clerk of the City of Atlanta and in the offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties, Georgia, for purposes of examination and inspection by the public.

This ____ day of _____, 2006.

Rhonda Dauphin Johnson
Municipal Clerk
City of Atlanta

RCS# 425
7/17/06
3:22 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-1368 06-O-1369 06-O-1370 06-O-1371

06-O-1372 06-O-1373

1st ADOPTION

* Referred to
Committee

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	NV Maddox	Y Willis
B Winslow	Y Muller	NV Sheperd	NV Borders

MULTIPLE

RCS# 423
7/17/06
3:20 PM

Atlanta City Council

COMMITTEE OF THE WHOLE

PROCEDURAL

RETURN TO REGULAR SESSION

APPROVE

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	NV Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

PROCEDURAL

RCS# 420
7/17/06
3:14 PM

Atlanta City Council

COMMITTEE OF THE WHOLE

MULTIPLE 06-O-1368 06-O-1369 06-O-1370 06-O-1371
06-O-1372 06-O-1373
APPROVE

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	NV Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

RCS# 418
7/17/06
3:07 PM

Atlanta City Council

COMMITTEE OF THE WHOLE

PROCEDURAL COMMITTEE ON COUNCIL AGENDA AND ADDENDUM

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	NV Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

PROCEDURAL

RCS# 416
7/17/06
3:04 PM

Atlanta City Council

REGULAR SESSION

PROCEDURAL

ENTER COMMITTEE OF THE WHOLE

APPROVE

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Mitchell
B Hall	Y Fauver	NV Martin	NV Norwood
Y Young	NV Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

PROCEDURAL

RCS# 363
7/05/06
4:12 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 06-O-1368 06-O-1369 06-O-1370 06-O-1371
 06-O-1372 06-O-1373
 REFER

YEAS: 15
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

**AN ORDINANCE BY
COMMITTEE ON COUNCIL**

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1. ET SEQ., AS AMENDED, SO AS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., BY AMENDING ARTICLE 5, CHAPTER 4, SECTION 5-402 (b) SO AS TO REQUIRE THAT THE MANDATORY PUBLIC DISCLOSURE OF THE IDENTITIES OF THE RELATIVES OF ELECTED OFFICIALS BE FULFILLED VIA THE FILING OF AN ELECTRONIC DISCLOSURE OF CONFLICTS OF INTEREST FORM; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the Charter of The City of Atlanta, Georgia, 1996 Ga Laws P.4469, et seq. (hereinafter "the Charter") establishes the legislative power of the governing authority (hereinafter "the Council" or "Council") to amend the Charter of the City of Atlanta (hereinafter "City") by ordinance; and

WHEREAS, the Committee on Council held work sessions and meetings to review the Charter to suggest and effectuate amendments thereto; and

WHEREAS, there is a mandatory requirement that elected officials publicly disclose the identity of any relative employed by the City, prior to February 15 of each year, via the completion of a form, as prescribed by the board of ethics; and

WHEREAS, the form on which elected officials must publicly disclose the identity of their relatives, employed by the City, is not specifically described; and

WHEREAS, it is the intent of Council that elected officials meet the mandatory disclosure requirements, as outlined in Section 5-402(b) of the Charter, via the submission of an electronic Disclosure of Conflicts of Interest form.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS
AS FOLLOWS:**

Section 1: Article 5, Chapter 4, Section 5-402 (b), which reads:

Any elected official shall disclose publicly the identity of any relative, as defined in the code of ordinances, employed by the city, prior to February 15 of each year by filing such form as prescribed by the board of ethics.

Exhibit "A"

"Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia"

Notice is hereby given that an ordinance has been introduced to amend Section 5-402 (Entitled "Disclosures") of the Charter of the City of Atlanta, Georgia (1996 Ga. L. (Act No. 1019), p. 4469, et. seq.) as amended, so as to require that mandatory public disclosure of the identities of elected officials' relatives be fulfilled via the filing of an electronic disclosure of conflicts of interest form; and for other purposes.

A copy of the proposed amendment is on file in the office of the Municipal Clerk of the City of Atlanta and in the offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties, Georgia, for purposes of examination and inspection by the public.

This ____ day of _____, 2006.

Rhonda Dauphin Johnson
Municipal Clerk
City of Atlanta

RCS# 427
7/17/06
3:25 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

06-O-1595 06-O-1596 06-O-1597 06-O-1598

FIRST READS

REFER

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

RCS# 423
7/17/06
3:20 PM

Atlanta City Council

COMMITTEE OF THE WHOLE

PROCEDURAL

RETURN TO REGULAR SESSION

APPROVE

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	NV Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

PROCEDURAL

RCS# 422
7/17/06
3:19 PM

Atlanta City Council

COMMITTEE OF THE WHOLE

MULTIPLE 06-O-1595 06-O-1596 06-O-1597 06-O-1598
FIRST READS
APPROVE

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	NV Fauver	Y Martin	Y Norwood
Y Young	Y Shook	NV Maddox	Y Willis
B Winslow	Y Muller	NV Sheperd	NV Borders

MULTIPLE

RCS# 418
7/17/06
3:07 PM

Atlanta City Council

COMMITTEE OF THE WHOLE

PROCEDURAL COMMITTEE ON COUNCIL AGENDA AND ADDENDUM

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	NV Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

PROCEDURAL

RCS# 416
7/17/06
3:04 PM

Atlanta City Council

REGULAR SESSION

PROCEDURAL

ENTER COMMITTEE OF THE WHOLE

APPROVE

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Mitchell
B Hall	Y Fauver	NV Martin	NV Norwood
Y Young	NV Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

PROCEDURAL

**AN ORDINANCE BY
COMMITTEE ON COUNCIL**

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, ADOPTED UNDER AND BY VIRTUE OF THE AUTHORITY OF THE MUNICIPAL HOME RULE ACT OF 1965, O.C.G.A. SECTION 36-35-1. ET SEQ., AS AMENDED, SO AS TO AMEND THE CHARTER OF THE CITY OF ATLANTA, GEORGIA, 1996 GA LAWS P. 4469, ET SEQ., BY AMENDING ARTICLE 2, CHAPTER 3, SECTION 2-302 (d) SO AS TO CREATE THE ADDITIONAL REQUIREMENT THAT CONFLICTS OF INTEREST, WHICH REQUIRE VERBAL DISCLOSURE, AS WELL AS, ABSTENTION FROM VOTING, BE REPORTED VIA SUBMISSION OF AN ELECTRONIC DISCLOSURE OF INTEREST FORM; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the Charter of the City of Atlanta, Georgia, 1996 Ga Laws P.4469, et seq. (hereinafter "the Charter") establishes the legislative power of the governing authority (hereinafter "the Council" or "Council") to amend the Charter of the City of Atlanta (hereinafter "City") by ordinance; and

WHEREAS, the Committee on Council held work sessions and meetings to review the Charter to suggest and effectuate amendments thereto that reflect desired Council practices; and

WHEREAS, there is a requirement that a member of council abstain from voting on matters involving the consideration of his or her own conduct, which would inure to his or her financial or personal interests, or which would be a conflict of interest; and

WHEREAS, on those occasions when a member of council must abstain from voting based on the aforementioned requirement, that member of council must also publicly state the nature of his or her interest in said matters; and

WHEREAS, there is no requirement that a member of council report, in written form, the nature of his or her interest in said matter; and

WHEREAS, it is the intent of Council that members of council report, in written form, as well as in verbal form, the nature of his or her interest in said matters.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS
AS FOLLOWS:**

Section 1: Article 2, Chapter 3, Section 2-302 (d), which reads:

No member of the council, or the president of the council, shall vote on matters involving the consideration of his or her own conduct, which would inure to his or her financial or personal interests, or which would be a conflict of interest as provided in Chapter 4 of Article 5 herein or by ordinance. Such member of the council shall, prior to the vote being taken, publicly state the nature of his or her interest in the matter from which he or she is abstaining from voting.

be hereby amended to read as follows:

No member of the council, or the president of the council, shall vote on matters involving the consideration of his or her own conduct, which would inure to his or her financial or personal interests, or which would be a conflict of interest as provided in Chapter 4 of Article 5 herein or by ordinance. Prior to the vote being taken, such member of council shall publicly state the nature of his or her interest in the matter from which he or she is abstaining from voting. Additionally, such member of the council shall disclose such interest in writing, via the submission of an online Disclosure of Conflicts of Interest form at <https://apps.atlantaga.gov/efile>, as maintained by the City of Atlanta Ethics Officer, upon his or her recognition of said conflict.

Section 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Exhibit "A"

"Notice of Proposed Amendment to the Charter of the City of Atlanta, Georgia"

Notice is hereby given that an ordinance has been introduced to amend Section 2-302 (d) (Entitled "Rules; quorum; voting") of the Charter of the City of Atlanta, Georgia (1996 Ga. L. (Act No. 1019), p. 4469, et. seq.) as amended, so as to create the additional requirement that conflicts of interest, which require verbal disclosure, as well as, abstention from voting, be reported via submission of an electronic disclosure of interest form; and for other purposes.

A copy of the proposed amendment is on file in the office of the Municipal Clerk of the City of Atlanta and in the offices of the Clerks of the Superior Courts of Fulton and DeKalb Counties, Georgia, for purposes of examination and inspection by the public.

This ____ day of _____, 2006.

Rhonda Dauphin Johnson
Municipal Clerk
City of Atlanta

RCS# 427
7/17/06
3:25 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 06-O-1595 06-O-1596 06-O-1597 06-O-1598
 FIRST READS
 REFER

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

RCS# 423
7/17/06
3:20 PM

Atlanta City Council

COMMITTEE OF THE WHOLE

PROCEDURAL

RETURN TO REGULAR SESSION

APPROVE

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	NV Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

PROCEDURAL

RCS# 422
7/17/06
3:19 PM

Atlanta City Council

COMMITTEE OF THE WHOLE

MULTIPLE 06-O-1595 06-O-1596 06-O-1597 06-O-1598
FIRST READS
APPROVE

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	NV Fauver	Y Martin	Y Norwood
Y Young	Y Shook	NV Maddox	Y Willis
B Winslow	Y Muller	NV Sheperd	NV Borders

MULTIPLE

RCS# 418
7/17/06
3:07 PM

Atlanta City Council

COMMITTEE OF THE WHOLE

PROCEDURAL COMMITTEE ON COUNCIL AGENDA AND ADDENDUM

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	NV Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

PROCEDURAL

RCS# 416
7/17/06
3:04 PM

Atlanta City Council

REGULAR SESSION

PROCEDURAL

ENTER COMMITTEE OF THE WHOLE

APPROVE

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Mitchell
B Hall	Y Fauver	NV Martin	NV Norwood
Y Young	NV Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

PROCEDURAL

**AN ORDINANCE BY
COMMITTEE ON COUNCIL**

AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE XVI, DIVISION 1, SECTION 2-1852 (ENTITLED, "PROCEDURES FOR APPOINTMENTS OF COUNCILMEMBER TO A BOARD, COMMISSION OR AUTHORITY.") OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, SO AS TO ESTABLISH A PROCEDURE FOR APPOINTMENTS OF PERSONS, BY INDIVIDUAL MEMBERS OF COUNCIL, TO BOARDS, COMMISSIONS OR AUTHORITIES; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the committee on council held work sessions and meetings to review the Code of Ordinances, City of Atlanta, Georgia (hereinafter, "City Code") to suggest and effectuate amendments thereto; and

WHEREAS, Chapter 2, Article XVI, Division 1, Section 2-1852 (hereinafter "Section 2-1852") outlines the procedure required whenever a member of council is to be appointed, by the council, to a board, commission or authority; and

WHEREAS, there are instances when the council has the exclusive authority to appoint individual members of the public to fill vacancies on boards, commissions, or authorities; and

WHEREAS, there may be occurrences when multiple persons are nominated by individual members of council for only one vacancy on said board, commission, or authority; and

WHEREAS, it is the intent of council that there be an established procedure for determining the name of such appointee for said board, commission, or authority, as agreed upon collectively by the members of council.

**THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY
ORDAINS AS FOLLOWS:**

Section 1: Chapter 2, Article XVI, Division 1, Section 2-1852, which reads:

Sec. 2-1852. Procedures for appointments of councilmember to a board, commission or authority.

Whenever it is required that a member of the council shall be appointed by the council to a board, commission or authority, the following procedures shall be used:

(1) *Nomination.*

a. Written notification of the vacancy shall be received from the president by the committee on the council.

- b. Upon receipt of written notification of the vacancy the committee on the council shall, by resolution, submit the names of all councilmembers to the full council.
- c. An individual councilmember may request, either in writing or orally at a meeting of the council, that such councilmember's name be withdrawn from consideration.
- d. Councilmembers whose names have been referred to the committee on council shall submit a letter to the committee on council confirming their willingness and availability to serve, as well as any other pertinent information. Such information shall be forwarded to all members of the council for the vote.

(2) *Voting procedures.*

- a. *One vacancy.* When only one vacancy exists and the name of only one councilmember has been placed in nomination, the vote shall be taken electronically. If there is more than one nomination for such vacancy, the municipal clerk shall issue, to the councilmembers, a paper ballot on which all nominees' names are printed. Councilmembers shall circle the names of the nominees of their choice, sign the ballots and return them to the municipal clerk. The municipal clerk shall then tally, or cause the ballots to be tallied, and announce the results. Such ballots shall become a part of the official record.
- b. *Multiple vacancies.* When more than one vacancy exists, the municipal clerk shall issue, to all councilmembers, one ballot for each existing vacancy. Councilmembers shall circle the names of their choices on each ballot (one per ballot), sign the ballots and return them to the municipal clerk. The clerk shall tabulate, or cause the ballots to be tabulated, and announce the vote.

be hereby amended to read as follows:

Sec. 2-1852. Procedures for appointments to a board, commission or authority.

A. Whenever it is required that a member of the council shall be appointed by the council to a board, commission or authority, the following procedures shall be used:

(1) *Nomination.*

- a. Written notification of the vacancy shall be submitted to the president of city council and the chair of the committee on council.
- b. Upon receipt of written notification of the vacancy, the chair of the committee on council shall establish a deadline for the submission of interested councilmembers' nominations for said vacancy and notify all members of council of said deadline and vacancy or vacancies.
- c. An individual councilmember may nominate himself, herself, or another councilmember as a nominee for the vacancy by submitting a letter to the committee on council, by the established deadline, confirming the councilmembers' willingness and availability to serve, as well as any other pertinent information. Such information shall be forwarded to all members of the council for the vote.

(2) *Voting procedures.*

I. *One vacancy.*

- a. When only one vacancy exists and the name of only one councilmember has been placed in nomination, the councilmember shall be submitted for appointment to the vacancy.
- b. A resolution to this effect shall confirm the nominee as the appointee.

II. *One vacancy, multiple nominees.*

- a. If there is more than one nomination for such vacancy, the municipal clerk shall issue, to the councilmembers, a paper ballot on which all nominees' names are printed.
- b. Councilmembers shall circle the names of the nominees of their choice, sign the ballots and return it to the municipal clerk. Such ballots shall become a part of the official record.
- c. The municipal clerk shall then tally, or cause the ballots to be tallied, and announce the results. The councilmember receiving the highest number of votes shall be submitted for appointment to the vacancy.
- d. A resolution to this effect shall confirm the nominee as the appointee.

III. *Multiple vacancies.*

- a. When more than one vacancy exists, the municipal clerk shall issue, to all councilmembers, one ballot for each existing vacancy.
- b. Councilmembers shall circle the names of their choices on each ballot (one per ballot), sign the ballots and return them to the municipal clerk. Such ballots shall become a part of the official record.
- c. The clerk shall tabulate, or cause the ballots to be tabulated, and announce the results. The councilmember receiving the highest number of votes shall be submitted for appointment to the vacancy.
- d. A resolution to this effect shall confirm the nominee as the appointee.

B. Upon it becoming necessary to appoint, by majority vote, a member of the public to fill a vacancy on any board, commission, or authority, for which the governing body has exclusive authority of appointment, the following procedures shall be used:

(1) *Nomination.*

- a. Written notification of the vacancy shall be submitted to the president of city council and the chair of the committee on council.
- b. The chair of the committee on council shall notify all members of council of said vacancy or vacancies, as well as, establish a deadline by which members of council must submit the names of qualified nominees.
- c. Upon notification, if they are so inclined, members of council and the president of council, may submit the names of qualified persons to fill the vacancy to the chair of the committee on council. Submission of the names of qualified individuals must be in written form and must be received by the established deadline.

- d. Upon such submission, the committee on council shall review, comment, and report on the qualifications of such nominee or nominees. Any nominee not possessing the legally required qualifications, as determined by the committee on council, will be automatically disqualified.
- e. Upon completion of its report on the qualifications of such nominee or nominees, the committee on council shall submit a ballot of names of all qualifying nominees to the full council, with no further nominations being allowed from the floor.

(2) *Forming a consensus.*

I. *One vacancy, one qualified nominee.*

- a. When only one vacancy exists and the name of only one qualified individual has been placed in nomination, the nominee shall be submitted for appointment to the vacancy.
- b. A resolution to this effect shall be drafted and submitted to the committee of purview and the committee on council.

II. *One vacancy, multiple qualified nominees.*

- a. If there is more than one nomination for only one vacancy, the municipal clerk shall issue to the councilmembers a paper ballot on which all nominees' names are printed.
- b. Each councilmember shall circle the name of the nominee of his/her choice, sign the ballot, and return it to the municipal clerk.
- c. The municipal clerk shall then tally, or cause the ballots to be tallied, and announce the results. Such ballots shall become a part of the official record.
- d. The nominee receiving a majority vote shall be submitted for appointment to the vacancy.
- e. A resolution to this effect shall be drafted and submitted to the committee of purview and the committee on council.

III. *One vacancy, tie amongst multiple qualified individuals.*

- a. In the event that one person does not receive a majority vote or there is a tie amongst two (2) or more nominees who receive the highest identical number of votes, then a second ballot shall be issued. This ballot process shall be continued until such time as one person receives a majority vote or an unbreakable tie occurs.
- b. The subsequent ballots shall be comprised of the two or more highest vote recipients.
- c. The nominee receiving a majority vote shall be submitted for appointment to the vacancy.
- d. A resolution to this effect shall be drafted and submitted to the committee of purview and the committee on council.

IV. *Unbreakable tie.*

- a. Should there be a second tie amongst those nominees receiving the highest identical number of votes, a resolution, saving a blank for the insertion of the name of a single nominee, along with an attachment, which includes the names and resume/qualifications of only those individuals involved in the unbreakable tie, shall be submitted to the committee of purview.

- b. Upon receipt of said resolution, the committee of purview shall hear from the individuals and make a recommendation as to a single appointee, as evidenced by the insertion of the individual's name into the resolution.
- c. The committee of purview shall forward the resolution to full council for an official vote.
- d. In the event that the official vote results in a tie, it shall be resolved upon the vote of the president of council, as outlined in Section 2-36 (d) of the Code of Ordinances.

(3) *Multiple vacancies.*

- a. When more than one vacancy exists, the municipal clerk shall issue, to all councilmembers, one ballot for each existing vacancy.
- b. Councilmembers shall circle the names of their choices on each ballot (one per ballot), sign the ballots, and return them to the municipal clerk.
- c. The clerk shall tabulate, or cause the ballots to be tabulated, and announce the vote. Such ballots shall become a part of the official record.
- d. The two (2) nominees receiving the highest number of votes shall be submitted for appointment to the vacancies.
- e. Resolution to this effect shall be drafted and submitted to the committee of purview and the committee on council.

RCS# 427
7/17/06
3:25 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 06-O-1595 06-O-1596 06-O-1597 06-O-1598
FIRST READS
REFER

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

RCS# 423
7/17/06
3:20 PM

Atlanta City Council

COMMITTEE OF THE WHOLE

PROCEDURAL

RETURN TO REGULAR SESSION

APPROVE

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	NV Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

PROCEDURAL

RCS# 422
7/17/06
3:19 PM

Atlanta City Council

COMMITTEE OF THE WHOLE

MULTIPLE 06-O-1595 06-O-1596 06-O-1597 06-O-1598
 FIRST READS
 APPROVE

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	NV Fauver	Y Martin	Y Norwood
Y Young	Y Shook	NV Maddox	Y Willis
B Winslow	Y Muller	NV Sheperd	NV Borders

MULTIPLE

RCS# 418
7/17/06
3:07 PM

Atlanta City Council

COMMITTEE OF THE WHOLE

PROCEDURAL COMMITTEE ON COUNCIL AGENDA AND ADDENDUM

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	NV Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

PROCEDURAL

RCS# 416
7/17/06
3:04 PM

Atlanta City Council

REGULAR SESSION

PROCEDURAL

ENTER COMMITTEE OF THE WHOLE

APPROVE

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Mitchell
B Hall	Y Fauver	NV Martin	NV Norwood
Y Young	NV Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

PROCEDURAL

AN ORDINANCE BY

COMMITTEE ON COUNCIL

AN ORDINANCE TO AMEND CHAPTER TWO, ARTICLE II, DIVISION 2, SUBDIVISION II, SECTION 2-104 (a) (ENTITLED, "REMARKS FROM PUBLIC.") OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, SO AS TO INCREASE THE PERIOD DURING WHICH THE CITY COUNCIL MAY HEAR REMARKS FROM THE PUBLIC DURING REGULARLY SCHEDULED CITY COUNCIL MEETINGS FROM THIRTY MINUTES TO SIXTY MINUTES; TO WAIVE CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, the committee on council held work sessions and meetings to review the Code of Ordinances of the City of Atlanta to suggest and effectuate amendments thereto; and

WHEREAS, Chapter Two, Article II, Division 2, Subdivision II, Section 2-104 (a) of the Code of Ordinances provides that remarks from the public at regularly scheduled city council meetings shall not exceed thirty minutes; and

WHEREAS, it is the desire of the city council to expand this time period so that it shall not exceed sixty minutes.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1: Chapter Two, Article II, Division 2, Subdivision II, Section 2-104, which reads:

(a) The council shall hear remarks from the public at its regularly scheduled meetings for a time period not to exceed 30 minutes, with each person being allowed to speak a maximum of two minutes. Any member of the public may speak to the council on matters of public concern, including matters of general policy, efficiency and the conduct of city government, provided that the president may rule out of order personal, abusive or indecorous language, or matters that the city has no purview over, and may limit the time allotted to such remarks for all speakers not to exceed 30 minutes, up to two minutes per speaker. No person shall cede his/her time to another person. A speaker may yield his/her time to another speaker; the person to whom time has been yielded shall be placed at the end of the speakers' list. Such yielded time shall be heard only during the 30-minute remarks by the public period. Under no circumstances shall any person to whom time has been yielded be allowed to speak during any extensions of the initial remarks by the public period.

be hereby amended to read as follows:

(a) The council shall hear remarks from the public at its regularly scheduled meetings for a time period not to exceed 60 minutes, with each person being allowed to speak a maximum of two minutes. Any member of the public may speak to the council on matters of public concern, including matters of general policy, efficiency and the conduct of city government, provided that the president may rule out of order personal, abusive or indecorous language, or matters that the city has no purview over, and may limit the time allotted to such remarks for all speakers not to exceed 60 minutes, up to two minutes per speaker. No person shall cede his/her time to another person. A speaker may yield his/her time to another speaker; the person to whom time has been yielded shall be placed at the end of the speakers' list. Such yielded time shall be heard only during the 60-minute remarks by the public period. Under no circumstances shall any person to whom time has been yielded be allowed to speak during any extensions of the initial remarks by the public period.

Section 2: That all ordinances and parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

RCS# 427
7/17/06
3:25 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE 06-O-1595 06-O-1596 06-O-1597 06-O-1598
 FIRST READS
 REFER

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

RCS# 423
7/17/06
3:20 PM

Atlanta City Council

COMMITTEE OF THE WHOLE

PROCEDURAL

RETURN TO REGULAR SESSION

APPROVE

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	NV Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

PROCEDURAL

RCS# 422
7/17/06
3:19 PM

Atlanta City Council

COMMITTEE OF THE WHOLE

MULTIPLE 06-O-1595 06-O-1596 06-O-1597 06-O-1598
FIRST READS
APPROVE

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	NV Fauver	Y Martin	Y Norwood
Y Young	Y Shook	NV Maddox	Y Willis
B Winslow	Y Muller	NV Sheperd	NV Borders

MULTIPLE

RCS# 418
7/17/06
3:07 PM

Atlanta City Council

COMMITTEE OF THE WHOLE

PROCEDURAL COMMITTEE ON COUNCIL AGENDA AND ADDENDUM

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	NV Martin	NV Norwood
Y Young	Y Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

PROCEDURAL

RCS# 416
7/17/06
3:04 PM

Atlanta City Council

REGULAR SESSION

PROCEDURAL

ENTER COMMITTEE OF THE WHOLE

APPROVE

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 4
EXCUSED: 0
ABSENT 2

Y Smith	Y Archibong	Y Moore	Y Mitchell
B Hall	Y Fauver	NV Martin	NV Norwood
Y Young	NV Shook	Y Maddox	Y Willis
B Winslow	Y Muller	Y Sheperd	NV Borders

PROCEDURAL

A RESOLUTION

BY COUNCILMEMBERS ANNE FAUVER, H. LAMAR WILLIS, HOWARD SHOOK, CARLA SMITH, IVORY L. YOUNG, JR., CEASAR MITCHELL, CLAIR MULLER, JIM MADDOX, KWANZA HALL AND MARY NORWOOD

A RESOLUTION TO APPOINT MS. LIZ COYLE AS THE COMMUNITY REPRESENTATIVE ON THE BOARD OF DIRECTORS OF ATLANTA BELTLINE, INC.; AND FOR OTHER PURPOSES.

WHEREAS, Ordinance 05-O-1733 establishes the BeltLine Redevelopment Area and Tax Allocation District Number Six – BeltLine; and

WHEREAS, Ordinance 05-O-1733, among other things, requires the creation of a permanent position on the Board of Directors of Atlanta BeltLine, Inc., to be filled by a community representative and appointed by the City Council; and

WHEREAS, said position has been created by Resolution 06-R-1576, approved and adopted in July, 2006; and

WHEREAS, Ms. Liz Coyle is an active community volunteer with extensive knowledge of the BeltLine planning and redevelopment.; and

WHEREAS, Ms. Liz Coyle has worked extensively to balance the needs of the communities and the city-wide planning for the BeltLine.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: Ms. Liz Coyle is hereby appointed as the Community Representative on the Board of Directors of Atlanta BeltLine, Inc.

SECTION 2: All resolutions and parts of resolutions in conflict herewith are hereby repealed for purposes of the ordinance only, and only to the extent of the conflict.

Elizabeth B. Coyle

Liz Coyle is a communications consultant, neighborhood leader and public school advocate. Since 1984, she has consulted with a broad spectrum of organizations including multi-national consumer products companies, public utilities, non-profit associations, and local governments. She assists her clients in public and media relations, public affairs, internal and external communications, and strategic planning. Ms. Coyle is an expert in strategic messaging, spokesperson training, and facilitation.

Her professional experience includes Hill & Knowlton, Inc. and Daniel J. Edelman Public Relations firms, both in Chicago. Since 1990, she has been an independent communications consultant with a focus in the area of sustainable development, helping clients communicate their efforts to reach economic, environmental and social goals in tandem while protecting resources for future generations.

As a volunteer, Ms. Coyle is immediate past-president of the Council of Intown Neighborhoods and Schools (CINS). She has served on the board of CINS since 2001. For many years, she has been an advocate for public education, and actively involved in her children's schools. She is a past president of the PTA at Morningside Elementary, and has recently volunteered as coordinator for a major renovation and addition to Inman Middle School.

Ms. Coyle is active in the community. Currently and since 2003, Ms. Coyle is vice chair of Neighborhood Planning Unit F, and chairs its license and permits committee. Recently, she was among members of the 4-NPU committee to receive an Award of Excellence from the Atlanta Urban Design Commission for community collaboration on the City Hall East project. She is a past president of the Atkins Park Neighborhood Association, serving from 2000-2003. She is vice president of the Atkins Park Garden Club. Additionally, she serves on the F.R.E.S.H. (Fulton Roundtable Expanded Service Headquarters) Community Advisory Board for Fulton County District 6.

From the early days of its inception by Ryan Gravel, Ms. Coyle has been a follower and supporter of the Atlanta BeltLine. She participated actively in MARTA's feasibility studies and today is a member of the MARTA Stakeholder Advisory Committee on the Alternatives Analysis. She is a founding member and organizer of the BeltLine Neighbors Coalition, a grassroots community organization seeking to influence positive planning for the Beltline project in order to strengthen and protect existing neighborhoods. She is actively involved in the BeltLine Network, an alliance of organizations including Park Pride, Georgia Stand-up, Concerned Black Clergy, Trees Atlanta, Community Housing Resource Center, AHAND and Sierra Club, all working to ensure the BeltLine lives up to its vision to connect Atlanta and its citizens through transit, trails, parks and economic development.

Ms. Coyle's academic background includes a Bachelor of Arts in Comparative Literature from the University of Virginia in 1984. She lives in Atlanta, Georgia, with her husband and two sons, one a student at Grady High School and one at Inman Middle School.

RCS# 434
7/17/06
3:57 PM

Atlanta City Council

REGULAR SESSION

PERSONAL

APPOINT LIZ COYLE TO THE BRD OF DIRECTOR
OF ATLANTA BELTLINE, INC. - TO CD/HR
REFER

YEAS: 10
NAYS: 4
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

N Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	N Fauver	Y Martin	Y Norwood
Y Young	N Shook	Y Maddox	Y Willis
B Winslow	N Muller	Y Sheperd	NV Borders

PERSONAL

**CITY COUNCIL
ATLANTA, GEORGIA**

06-0-1677

AN ORDINANCE BY THE COMMITTEE ON COUNCIL

**AN ORDINANCE TO AMEND THE 2001 CITY OF
ATLANTA PRECINCTS AND POLLING PLACES IN
PRECINCTS 08C AND 07L AS A RESULT OF PRECINCT
RELOCATION AND THE COMBINATION OF PRECINCTS
RESPECTIVELY; AND FOR OTHER PURPOSES.**

WHEREAS, the 2001 Precincts and Polling Places Ordinance, dated October 24, 2001, was adopted November 5, 2001, and;

WHEREAS, such Precincts and Polling Places Ordinance has previously been amended by action of the City Council on May 20 2002, July 15 2002, September 3 2002, October 21 2002, November 18 2002, September 15 2003, November 01 2004, September 07 2005, October 17 2005, November 07 2005, June 05 2006, and July 05 2006 and;

WHEREAS, the Fulton County Board of Registration and Elections has authorized and approved precinct changes to Precinct/Polling Places 08C and 07L as a result of precinct relocation and the combination of precincts respectively.

WHEREAS, all affected voters will be notified of these changes by the Fulton County Office of Registration and Elections accordingly, and;

WHEREAS, the governing authority of the City of Atlanta, the Atlanta City Council believes that ratification of these previously authorized changes should be made by this Body.

NOW THEREFORE BE IT ORDAINED that the Atlanta City Council does hereby ratify the previous authorization and approval by the Fulton County Board of Registration and Elections of the precinct relocation in Precinct/Polling Place **08C** and the combination of Precincts of **07A** and **07L** resulting in the elimination of Precinct **07L**; all within the City of Atlanta and;

BE IT FINALLY ORDAINED that the Atlanta City Council does hereby Amend the 2001 Precincts and Polling Places Ordinance, dated October 24, 2001, and Adopted November 5, 2001 which was codified as Section 66-2 of the City of Atlanta Code of Ordinances and adopted by reference, by adding the recent changes to Precinct/Polling Place **08C** as a result of precinct relocation, and Precinct/Polling Place **7L** as a result of combining Precincts **07A** & **07L** by eliminating Precinct **07L**; all of which is reflected or incorporated in the August 21, 2006 Revision to the 2001 Precincts and Polling Places Ordinance identified as Attachment I to this ordinance, with certain particular changes described by the further attachments identified as, Exhibits **A and B**; all being made a part hereof and noted as follows:

Precinct and Polling Place

- SECTION 1.** To amend Precinct/Polling Place **08C** temporarily located at Chastain Park Gymnasium, 135 W. Wieuca Road, N.W. by relocating said precinct, which had been moved due to summer activities, back to its permanent voting facility at Northwest Presbyterian Church, 4300 Northside Drive, N.W. The proposed facility is accessible to the handicapped and is approximately 1.3 miles away from the existing facility; as identified in Exhibit A, (Pages 1-2). The new precinct location is indicated in Attachment I. Voters will be notified of their new voting location by first-class mail 30 days before the next election.
- SECTION 2.** To amend Precinct/Polling Place **07L** located at Sarah R. Smith School, 370 Old Ivy Road, N.E. by eliminating Precinct 07L and combining said precinct with Precinct **07A** located at the same facility because political division lines are no longer divided. The proposed facility is identified in Exhibit B, (Pages 1-3) and the new precinct location is indicated in Attachment I. Voters will be notified of their new voting location by first-class mail 30 days before the next election.
- SECTION 3.** That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

PROPOSAL NO. 57/06 08B, 08C

POLLING PLACE CHANGE

	<u>CD</u>	<u>SS</u>	<u>SH</u>	<u>CC</u>	<u>ED</u>	<u>MU</u>
08B	05	38	054	04	04	08
08C	05	38	054	04	04	08

<u>PCT.</u>	<u>POLLING PLACE</u>	<u>REGISTERED VOTERS AS OF 07/05/06</u>			
		<u>WHITE</u>	<u>BLACK</u>	<u>OTHER</u>	<u>TOTAL</u>
08B	Chastain Park Gymnasium 135 W. Wieuca Road NW (Joint with 08C)	2,173	81	164	2,418
08C	Chastain Park Gymnasium 135 W. Wieuca Road NW (Joint with 08B)	1,158	11	62	1,230

PROBLEM: The polling place for Precinct 08C was used as a temporary location, because the permanent voting facility was not available for voting due to summer activities.

PROPOSAL: It is proposed that Precinct 08C be relocated back to its permanent voting facility listed below. The proposed facility is accessible to the handicapped and is approximately 1.3 miles from the existing facility (See figure 57). There are no other facilities available within the boundaries of the precinct. **Voters will be notified by first-class mail 30 days prior to the next election.**

PROPOSED POLLING PLACE

<u>PCT.</u>	<u>POLLING PLACE</u>	<u>REGISTERED VOTERS AS OF 07/05/06</u>			
		<u>WHITE</u>	<u>BLACK</u>	<u>OTHER</u>	<u>TOTAL</u>
08B	Chastain Park Gymnasium 135 W. Wieuca Road NW	2,173	81	164	2,418
08C	Northwest Presbyterian Church 4300 Northside Drive NW	1,158	11	62	1,230

APPROVED BY BOARD OF R&E - 7.22.06
"PENDING U.S.J.D. APPROVAL"

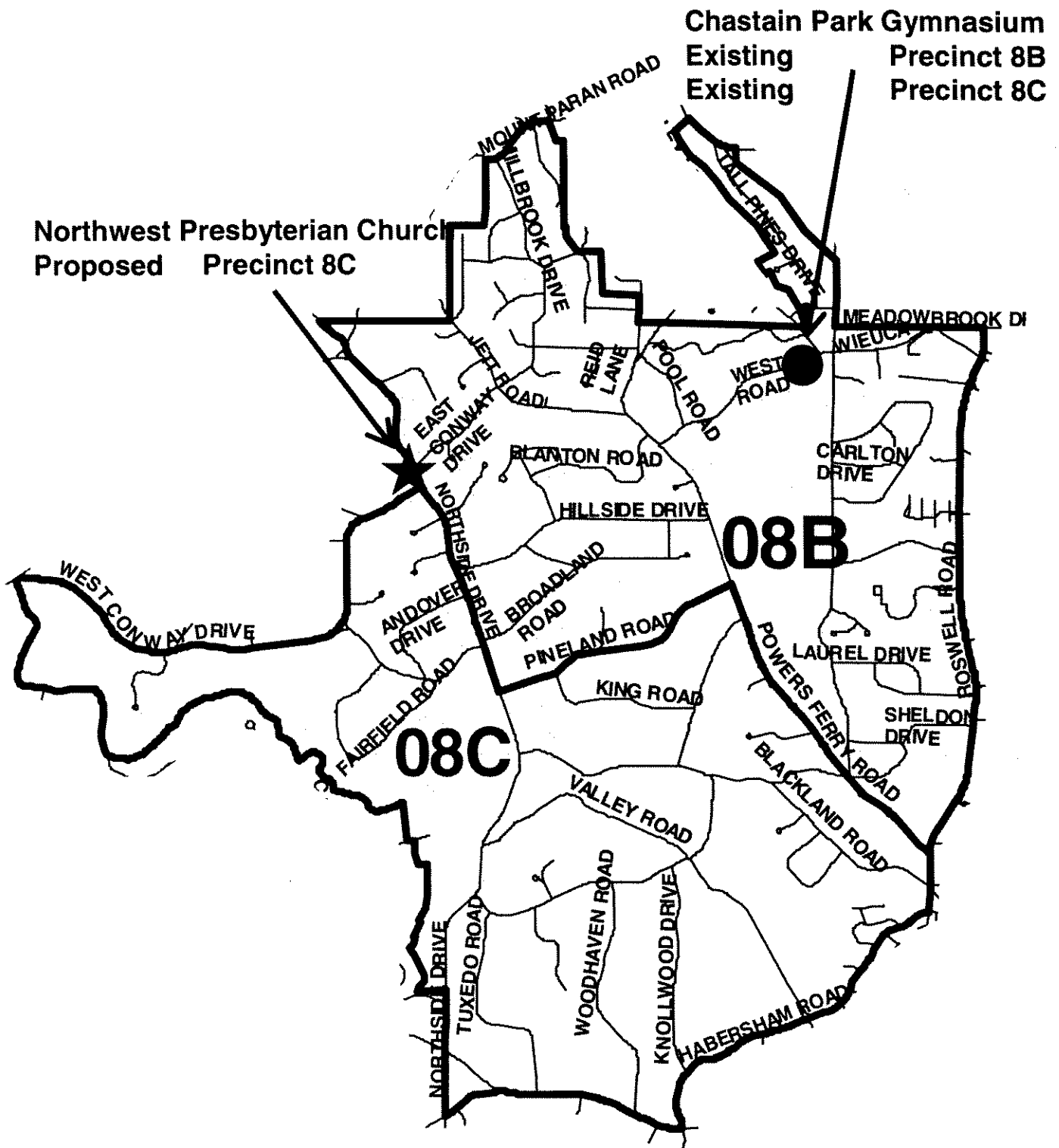


FIGURE 57

● **EXISTING**
 ★ **PROPOSED**

PROPOSAL NO. 61/06 07A, 07L

**BOUNDARY LINE CHANGE
POLLING PLACE CHANGE**

	<u>CD</u>	<u>SS</u>	<u>SH</u>	<u>CC</u>	<u>ED</u>	<u>MU</u>
07A	05	39	054	04	04	07
07L	05	39	054	04	04	07

<u>PCT.</u>	<u>POLLING PLACE</u>	<u>REGISTERED VOTERS AS OF 07/05/06</u>			
		<u>WHITE</u>	<u>BLACK</u>	<u>OTHER</u>	<u>TOTAL</u>
07A	Sarah R. Smith School 370 Old Ivy Road NE (Joint with 07L)	1,189	95	86	1,370
07L	Sarah R. Smith School 370 Old Ivy Road NE (Joint with 07A)	531	40	50	611

PROBLEM: Precincts 07A and 07L are no longer divided by a political district line (See figure 61A).

PROPOSAL: It is proposed that Precinct 07L be combined with Precinct 07A, and remain in the same facility (See figure 61B). **Voters will be notified by first-class mail 30 days prior to the next election.**

PROPOSED POLLING PLACE

<u>PCT.</u>	<u>POLLING PLACE</u>	<u>REGISTERED VOTERS AS OF 07/05/06</u>			
		<u>WHITE</u>	<u>BLACK</u>	<u>OTHER</u>	<u>TOTAL</u>
07A	Sarah R. Smith School 370 Old Ivy Road, NE	1,720	135	136	1,991
07L	ELIMINATED				

APPROVED BY BOARD OF R&E – 7.22.06
APPROVED BY COMMISSION – 8.3.06
PENDING U.S.J.D. APPROVAL

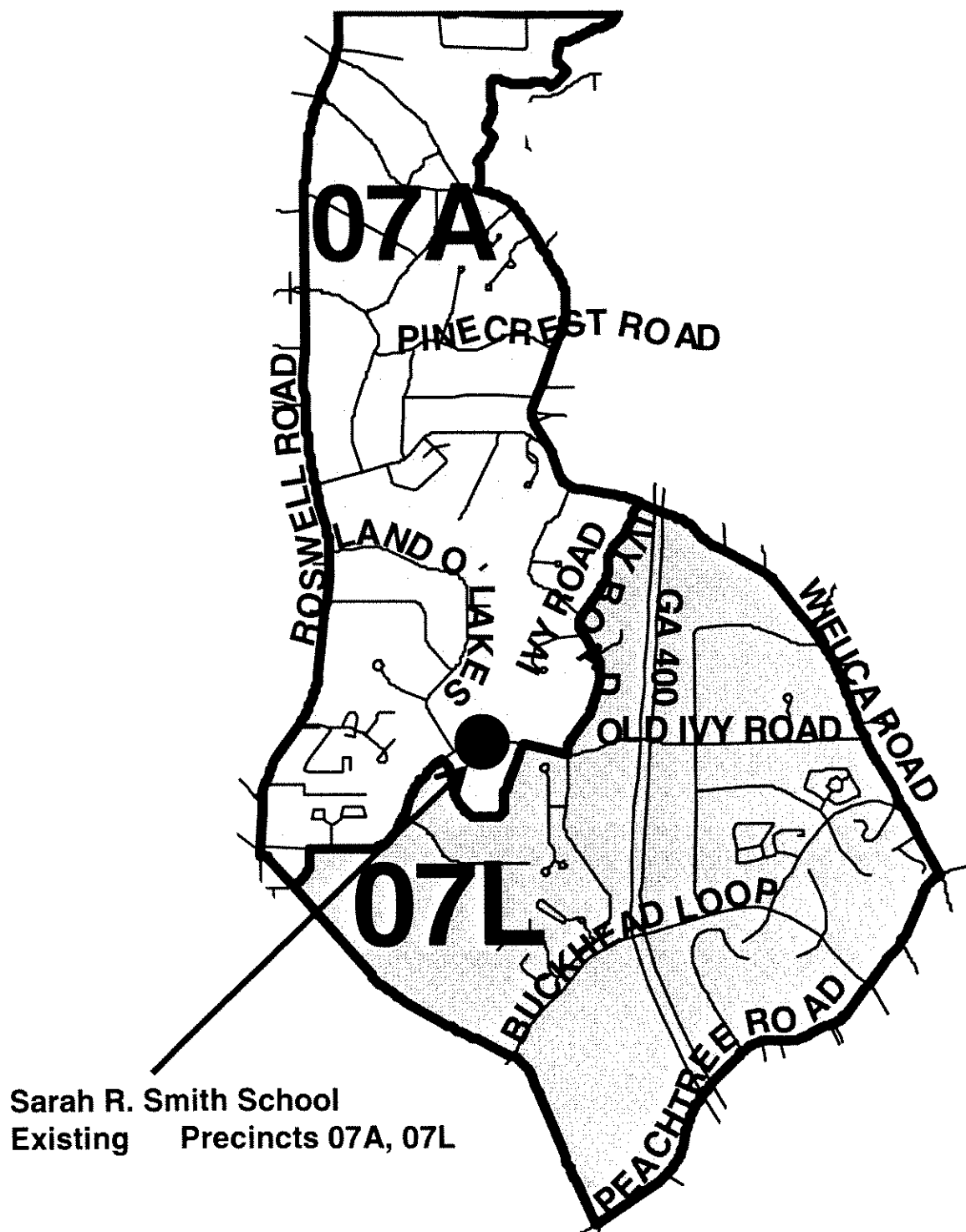


FIGURE 61A
EXISTING

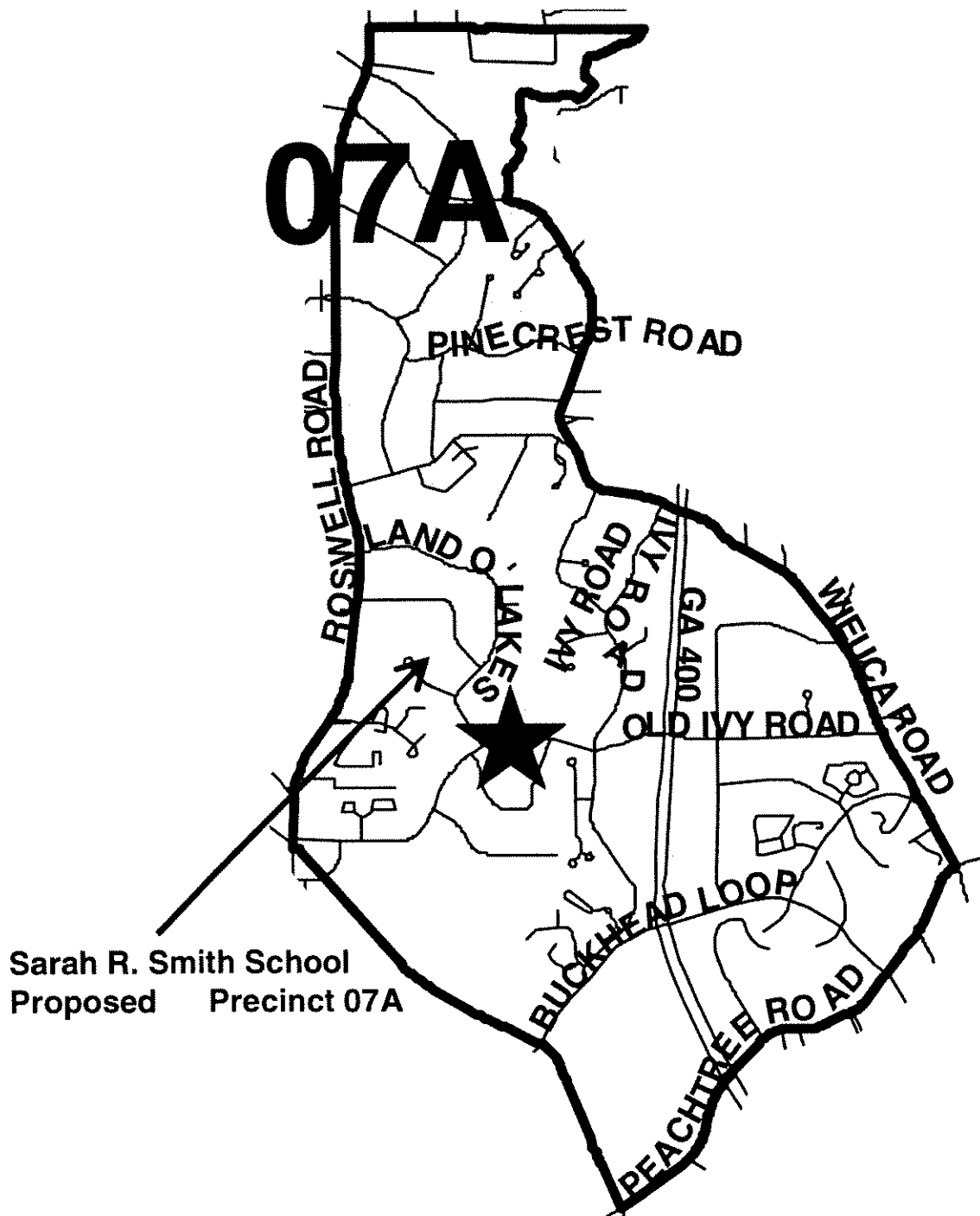


FIGURE 61B

 **PROPOSED**

AN ORDINANCE

Councilmember Anne Fauver

and Chela Hensler

An Ordinance to amend the Charter of the City of Atlanta adopted under and by virtue of the authority of the Municipal Home Rule Act of 1965 (Ga. Laws 1965, P. 298, Et. Seq.) as amended, to amend Part I, Subpart A, Article VII, Chapter 3, Section 2-301(c) of the Charter of the City of Atlanta, Georgia (Ga. Laws 1996, P. 4469, Et Seq.), approved April 15, 1996, as amended, so as to allow elected officials to view a video taped copy of the Elected Officials mandatory training modules; to make the mandatory training apply to newly elected officials only; and for other purposes.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

Section 1: That Section 2-301 (c) of the Code of Ordinances which reads as follows:

(c) Mandatory training. The mayor, president of the council, and councilmembers shall, following each regular Municipal General Election or such election held in place thereof, attend a mandatory training session that shall include, but not be limited to, matters of campaign and financial disclosure requirements, standards of conduct, ethics code and the legislative process. Said mandatory training shall be required of newly elected officials only.

(1) The Municipal Clerk, shall hold, or cause to be held, a training session for all current and newly elected city of Atlanta officials that shall include, but not be limited to, matters of campaign and financial disclosure requirements, standards of conduct, ethics code, and the legislative process. Said training session shall be offered on two separate dates, but no later than July 1 of the year following each municipal general election or no later than 60 days following any election held in lieu thereof, and no later than 60 days following a Special Election held to fill a vacancy in office. Persons required to attend shall be present at the entirety of a session, or at a combination of the offered sessions whereby all training modules designated for the particular office held are covered. Attendance as noted shall be mandatory. Each official shall be required to sign an affidavit stating that he/she has completed training, with said affidavit to be certified by the Clerk or the Clerk's designee.

(2) Any official required to attend who has not completed the mandatory training by the end of the second available training session, shall be deemed non-compliant and shall be immediately fined \$50.00. An additional \$100.00 fine shall continuously be assessed each non-compliant official, every 30 days after the date

of non-compliance in which an official has not paid the assessed fine or received a waiver and completed a makeup training session as outlined in subsections (c)(5) and (6) of this section.

(3) All payments of fines shall be paid to the City of Atlanta and shall be submitted to the Municipal Clerk, or designee who shall then record that the fine has been received and forward each payment to the Chief Financial Officer.

(4) Immediately following the second offered training session, and if necessary upon the assessment of further fines, the Municipal Clerk shall notify, by certified mail, each official who has not completed mandatory training that he or she is in non-compliance of the law and of the penalty thereby imposed. The Clerk shall simultaneously notify the Chief Financial Officer of the City, the President of Council and the Chairperson of the Committee on Council of any official's non-compliance. However, failure of receipt of such notification does not relieve the official of the obligation to attend the mandatory training and to pay the assessed fine.

(5) Any non-compliant official may submit, through the Chair of the Committee on Council, a written appeal to the Council requesting a waiver of the assessed fine. Supporting evidence of the reason(s) of his/her non-compliance must be presented in the appeal. If due cause is shown, the Council may adopt a resolution, by majority vote, to waive the fine.

(6) In all such cases, whether the assessed fine is paid or waived, any non-compliant official shall be required to attend a make-up training session scheduled by appointment with the Municipal Clerk. Such session may be provided through a videotaped session, but shall cover in its entirety all required training modules. The non-compliant official's signed affidavit of completion of training and the Clerk's or the Clerk's designee's certification of same, shall be required to avoid further assessments of fines. There shall be no waiver of training attendance granted under any circumstances.

(7) The Municipal Clerk shall develop, or cause to be developed, a manual detailing all of the above.

Be amended to read:

- (c) Mandatory training. The mayor, president of the council, and councilmembers shall, following each regular Municipal General Election or such election held in place thereof, attend a mandatory training session that shall include, but not be limited to, matters of campaign and financial disclosure requirements, standards of conduct, ethics code and the legislative process.

(1) The Municipal Clerk, shall hold, or cause to be held, a training session for all **newly** elected city of Atlanta officials that shall include, but not be limited to, matters of campaign and financial disclosure requirements, standards of conduct, ethics code, and the legislative process. Said training session shall be offered on two separate dates, but no later than July 1 of the year following each municipal general election or no later than 60 days following any election held in lieu thereof, and no later than 60 days following a Special Election held to fill a vacancy in office. Persons required to attend shall be present at the entirety of a session, or at a combination of the offered sessions whereby all training modules designated for the particular office held are covered. Attendance as noted shall be mandatory. Each official shall be required to sign an affidavit stating that he/she has completed training, with said affidavit to be certified by the Clerk or the Clerk's designee.

Should said official(s) be unable to attend either of the two sessions, s/he may obtain a copy of the video tape of the session which shall include in its entirety, all required training modules.

After viewing the required material, said official shall provide to the Municipal Clerk a signed affidavit, no later than July 1, (or no later than sixty days after a Special Election), stating that the training module has been viewed in its entirety.

(2) Any official required to attend who has not completed the mandatory training by the end of the second available training session, **or provided evidence of having viewed the training video in its entirety, by July 1 of the subject year, or no later than 60 days after a Special Election** shall be deemed non-compliant and shall be immediately fined \$50.00. An additional \$100.00 fine shall continuously be assessed each non-compliant official, every 30 days after the date of non-compliance in which an official has not paid the assessed fine or received a waiver and completed a makeup training session as outlined in subsections (c)(5) and (6) of this section.

(3) All payments of fines shall be paid to the City of Atlanta and shall be submitted to the Municipal Clerk, or designee who shall then record that the fine has been received and forward each payment to the Chief Financial Officer.

(4) Immediately following the second offered training session, and if necessary upon the assessment of further fines, the Municipal Clerk shall notify, by certified mail, each official who has not completed mandatory training that he or she is in non-compliance of the law and of the penalty thereby imposed. The Clerk shall simultaneously notify the Chief Financial Officer of the City, the President of Council and the Chairperson of the Committee on Council of any official's non-compliance. However, failure of receipt of such notification does

not relieve the official of the obligation to attend the mandatory training and to pay the assessed fine.

(5) Any non-compliant official may submit, through the Chair of the Committee on Council, a written appeal to the Council requesting a waiver of the assessed fine. Supporting evidence of the reason(s) of his/her non-compliance must be presented in the appeal. If due cause is shown, the Council may adopt a resolution, by majority vote, to waive the fine.

(6) In all such cases, whether the assessed fine is paid or waived, any non-compliant official shall be required to attend a make-up training session scheduled by appointment with the Municipal Clerk. Such session may be provided through a videotaped session, but shall cover in its entirety all required training modules. The non-compliant official's signed affidavit of completion of training and the Clerk's or the Clerk's designee's certification of same, shall be required to avoid further assessments of fines. There shall be no waiver of training attendance granted under any circumstances.

(7) The Municipal Clerk shall develop, or cause to be developed, a manual detailing all of the above.

Section 2: That all ordinances and parts of ordinances in conflict herewith are hereby repealed.